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FILED IN UNITED STATES DISTRICT COURT, DISTRICT OF UTAH
MAY 15 2012
U.S. DISTRICT COURT

MAY 23 2012

D. MARK JONES, CLERK
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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
Northern DIVISION

Ames, Michael S.

(Full Name)

PLAINTIFF

vs.

- 1) Deputy Christensen, Todd of
Weber County Sheriff's Office
- 2) Weber County Sheriff's Office
- 3) State of Utah

DEFENDANTS

CIVIL RIGHTS COMPLAINT

(42 U.S.C §1983, §1985)

Case: 2:12-cv-00481

Assigned To : Benson, Dee

Assign. Date : 5/15/2012

Description: Ames v. Christensen et al

A. JURISDICTION

1. Jurisdiction is proper in this court according to:

- a. ☒ 42 U.S.C. §1983
- b. ☐ 42 U.S.C. §1985
- c. ☐ Other (Please Specify) _____

2. NAME OF PLAINTIFF Ames, Michael S.
IS A CITIZEN OF THE STATE OF Utah

PRESENT MAILING ADDRESS: # 36474 Utah State Prison, P.O. Box 250
Draper, Utah 84020

3. NAME OF FIRST DEFENDANT Deputy Christensen, Todd of Weber
County Sheriff's Office

IS A CITIZEN OF Weber County, Utah
(City and State)

IS EMPLOYED AS Deputy at Weber County Sheriff's Office
(Position and Title if Any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ☒ NO ☐. If your answer is "YES" briefly explain.

He shot me while on shift @ Weber County
Sheriff's office.

4. NAME OF SECOND DEFENDANT Weber County Sheriff's Office
(If applicable)

IS A CITIZEN OF Weber County Utah
(City and State)

IS EMPLOYED AS _____ at _____
(Position and Title if Any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ☒ NO ☐. If your answer is "YES" briefly explain.

It is a State entity

5. NAME OF THIRD DEFENDANT State of Utah
(If applicable)

IS A CITIZEN OF State of Utah
(City and State)

IS EMPLOYED AS _____ at _____
(Position and Title if Any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ☒ NO ☐. If your answer is "YES" briefly explain.

The defendant is the State of Utah.

6. NAME OF FOURTH DEFENDANT N/A
(If applicable)

IS A CITIZEN OF _____
(city and State)

IS EMPLOYED AS _____ at _____.
(Position and Title if Any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ☐ NO ☐. If your answer is "YES" briefly explain.

(Use additional sheets of paper if necessary.)

B. NATURE OF CASE

1. Why are you bringing this case to court? Please explain the circumstances that led to the problem.

Excessive use of force, Improper use of
lethal force, Violation of 8th Amendment rights, & fear
the intentional infliction of emotional distress and bodily
injury. Deputy Christensen, Todd Subdued me
by use of lethal force. He then shot me several more
times after I was subdued.

C. CAUSE OF ACTION

1. I allege that my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary you may attach additional pages)

- a. (1) Count I: Excessive use of force
- (2) Supporting Facts: (Describe exactly what each defendant did or did not do. State the facts clearly in your own words without citing legal authority or arguments.)
Deputy Christensen after subduing me, then
shot me twice in the back, critically injuring
me. Weber County Sheriff's office along with
the state of Utah are liable as they employ
Deputy Christensen. Deputy Christensen did this on
March 25, 2011 in South Ogden, Utah @ 2:00pm
- b. (1) Count II: Improper use of Lethal Force & violation
of 8th Amendment
- (2) Supporting Facts: After being incapacitated by a baseball
bat, deputy Christensen then used lethal force against me.
deputy Christensen later shot me 2 more times in the back.
This demonstrates cruel and unusual treatment along
with improper use of Lethal Force. This occurred
on March 25, 2011 in South Ogden, Utah @ 2:00pm
- c. (1) Count III: Intentional infliction of emotional distress
and bodily injury.

(2) Supporting Facts: Deputy Christensen intentionally
shot me repeatedly causing severe bodily injury
and emotional distress. Again, Weber County
Sheriff's office is liable, as with the State of
Utah as they employ deputy Christensen. This occurred
in South Ogden, Utah @ 2:00pm on March 25, 2011.

D. INJURY

1. How have you been injured by the actions of the defendant(s)?

Yes, I've had incredible physical and mental injury.
I was shot 5 times total. This shattered my
hip, destroyed my digestive tract, and numerous soft
tissue injuries. I am suffering from PTSD also.
I now wear a colostomy bag and no longer
have normal use of my bowels.

E. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

1. Have you filed other lawsuits in state or federal court that deal with the same facts that are involved in this action or otherwise relate to the conditions of your imprisonment? YES _____ / NO X. If your answer is "YES," describe each lawsuit. (If there is more than one lawsuit, describe additional lawsuits on additional separate pages, using the same outline.)

- a. Parties to previous lawsuit:

Plaintiff(s): _____

Defendant(s): _____

- b. Name of court and case or docket number: _____

- c. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____
- d. Issues raised: _____

- e. When did you file the lawsuit? _____
Date Month Year
- f. When was it (will it be) decided? _____
2. Have you previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C? YES ___ / NO ☒ _____. If your answer is "YES" briefly describe how relief was sought and the results. If your answer is "NO" explain why administrative relief was not sought.
Weber County Sheriff's office has a history of
not disciplining deputy Christensen. Deputy Christensen
also has a history as a hot head and I fear retaliation.

F. REQUEST FOR RELIEF

1. I believe that I am entitled to the following relief:
Compensation of the financial nature to cover
my future medical expenses and the injuries I've
suffered. A financial settlement for pain and suffering.
A punitive award against the defendants.

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he/she is the plaintiff in the above action, that he/she has read the above complaint, and that the information contained therein is true and correct. 28 U.S.C. §1746; 18 U.S.C. §1621.

Executed at Utah State Prison on April 3rd 2012.
(Location) (Date)


Signature